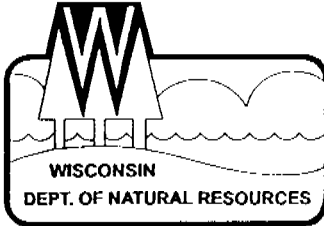


File



State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Tommy G. Thompson, Governor
George E. Meyer, Secretary
William R. Selbig, Regional Director

Northeast Region Headquarters
1125 N. Military Ave., P.O. Box 10448
Green Bay, Wisconsin 54307-0448
Telephone 920-492-5800
FAX 920-492-5913
TDD 920-492-5912

June 11, 1999

Mary K. Van Dyn Hoven
425 Orchard Lane
Little Chute, WI 54140

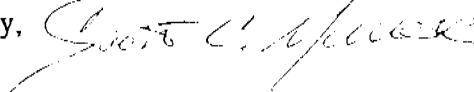
SUBJECT: Case Closure With a Groundwater Use Restriction for the Domino's Pizza site,
102 West Wisconsin Ave., Kaukauna, WI
BRRTS # 03-45-002066

Dear Ms. Van Dyn Hoven:

On March 9, 1999, you were notified that the above referenced site had been reviewed by the Northeast Region Closeout Committee and qualified for closeout under ch. NR 726, Wis. Adm. Code. However, the site could not be officially closed until the Department received documentation that the monitoring points were properly abandoned according to the requirements of NR 141 Wis. Adm. Code.

On June 9, 1999, the Department received written documentation that the boreholes were properly abandoned. Therefore, the Department considers this case closed on June 9, 1999, having determined that no further action is necessary at the site at this time. However, this case may be reopened pursuant to s. NR 726.09, Wis. Adm. Code, if additional information regarding site conditions indicate that contamination on or from the site poses a threat to public health or the environment.

If you have additional relevant information, which was not formerly provided to the WDNR, you should submit this information to the WDNR for reevaluation. Thank you for your and your consultant's cooperation and cleanup efforts during this process. If you have any questions regarding the content of this letter, please contact me in Oshkosh at (920) 303-5424.

Sincerely, 

Scott C. Miller
Hydrogeologist
Remediation & Redevelopment Program

cc: Mark R. Zimmerman, Miller Engineers & Scientists
1119 West Kennedy Avenue, Suite A, Kimberly, WI 54136
Rebecca S. Burkel, WDOT - District 3
944 Vanderperren Way, Green Bay, WI 54304-0080

DOCUMENT NO.
1146078

STATE BAR OF WISCONSIN FORM 3 — 1982
QUIT CLAIM DEED

THIS SPACE RESERVED FOR RECORDING DATA

OUTAGAMIE COUNTY
RECEIVED FOR RECORD

FEB 1 1995

AT 10 O'CLOCK A.M. PM
GRACE HERB
REGISTER OF DEEDS

Mary Kay Van Dyn Hoven
425 Orchard Ln
Little Chute WI 54140

Tax Parcel No: 32-2-0399-00-2

All of Lot Eighteen (18), in Block Five (5), of LAWE,
MEADE & BLACK'S ADDITION, City of Kaukauna, Outagamie
County, Wisconsin, according to the recorded Assessor's
Plat of said City.

FEE 8
EXEMPT

This is not homestead property.
(is) (is not)

Dated this FIRST day of December FEB, 1995

(SEAL)

Jeffrey W. Van Dyn Hoven (SEAL)

* Jeffrey W. VanDynHoven

(SEAL)

(SEAL)

AUTHENTICATION

Signature(s) JEFFREY W. VAN DYN HOVEN

authenticated this 1st day of February, 1995

* JOEL A. SEYMOUR
TITLE: MEMBER STATE BAR OF WISCONSIN

(If not,
authorized by § 706.06, Wis. Stats.)

THIS INSTRUMENT WAS DRAFTED BY

Attorney Joel A. Seymour

Appleton, WI

(Signatures may be authenticated or acknowledged. Both
are not necessary.)

ACKNOWLEDGMENT

STATE OF WISCONSIN

Outagamie County.

ss.

Personally came before me this 1st day of
December, 1995 the above named

Jeffrey W. VanDynHoven

to me known to be the person who executed the
foregoing instrument and acknowledge the same.

*
Notary Public _____ County, Wis.
My Commission is permanent. (If not, state expiration
date: _____, 19____)

1325507

Document Number

GROUNDWATER USE RESTRICTION

OUTAGAMIE COUNTY
RECEIVED FOR RECORD

Declaration of Restrictions

In re: All of Lot Eighteen (18), in Block Five (5), of LAWE,
MEADE & BLACK'S ADDITION, City of Kaukauna,
Outagamie County, Wisconsin, according to the recorded
Assessor's Plat of said City.

MAY 11 1999

AT 11:30 O'CLOCK A.M. ☒
GRACE HERB
REGISTER OF DEEDS

Recording Area

Name and Return Address:

Ms. Mary K. Van Dyn Hoven
425 Orchard Lane
Little Chute, WI 54140

32-2-0399-00-2
Parcel Identification Number (PIN)

STATE OF WISCONSIN)
COUNTY OF OUTAGAMIE) ss

WHEREAS, Mary K. Van Dyn Hoven is the owner of the above-described property.

WHEREAS, one or more Petroleum discharges have occurred at this property. Petroleum contaminated groundwater above NR 140 enforcement standards exists on this property at the following locations and as identified on Attachment 1, attached to and hereby made apart of this groundwater use restriction: benzene concentration of 5.6 micrograms per liter ($\mu\text{g/L}$) and 1,2-dichloroethane concentration of 23 $\mu\text{g/L}$ at monitoring well-3 (MW-3) and benzene concentration of 18 $\mu\text{g/L}$ and naphthalene concentration of 44 $\mu\text{g/L}$ at monitoring well MW-4.

WHEREAS, it is the desire and intention of the property owner to impose on the property restrictions which will make it unnecessary to conduct additional soil or groundwater remediation activities on the property at the present time.

WHEREAS, natural attenuation has been approved by the Department of Natural Resources to remediate groundwater exceeding ch. NR 140 groundwater standards within the boundaries of this property.

WHEREAS, construction of wells where the water quality exceeds the drinking water standards in ch. NR 809 is restricted by ch. NR 811 and ch. NR 812. Special well construction standards or water treatment requirements, or both, or well construction prohibitions may apply.

NOW THEREFORE, the owner hereby declares that all of the property described above is held and shall be held, conveyed or encumbered, leased, rented, used, occupied and improved subject to the following limitation and restrictions:

Anyone who proposes to construct or reconstruct a well on this property is required to contact the Department of Natural Resources' Bureau of Drinking Water and Groundwater, or its successor agency, to determine what specific prohibitions or requirements are applicable, prior to constructing or reconstructing a well on this property. No well may be constructed or reconstructed on this property unless applicable requirements are met.

This restriction is hereby declared to be a covenant running with the land and shall be fully binding upon all persons acquiring the above-described property whether by descent, devise, purchase or otherwise. This restriction benefits and is enforceable by, the Wisconsin Department of Natural Resources, its successors and assigns. The Department, its successors or assigns, may initiate proceedings at law or in equity against any person or persons who violate or are proposing to violate this covenant, to prevent the proposed violation or to recover damages for such violation.

Any person who is or becomes owner of the property described above may request that the Wisconsin Department of Natural Resources or its successor issue a determination that the restrictions set forth in this covenant are no longer required. Upon receipt of such a request, the Wisconsin Department of Natural Resources shall determine whether or not the restrictions contained herein can be extinguished. If the Department determines that the restrictions can be extinguished, an affidavit, with a copy of the Department's written determination, may be recorded to give notice that this groundwater use restriction is no longer binding.

IN WITNESS WHEREOF, the owner of the property has executed this Declaration of Restrictions, this 11th day of May, 1999.

Signature: Mary K. Van Dyn Hoven

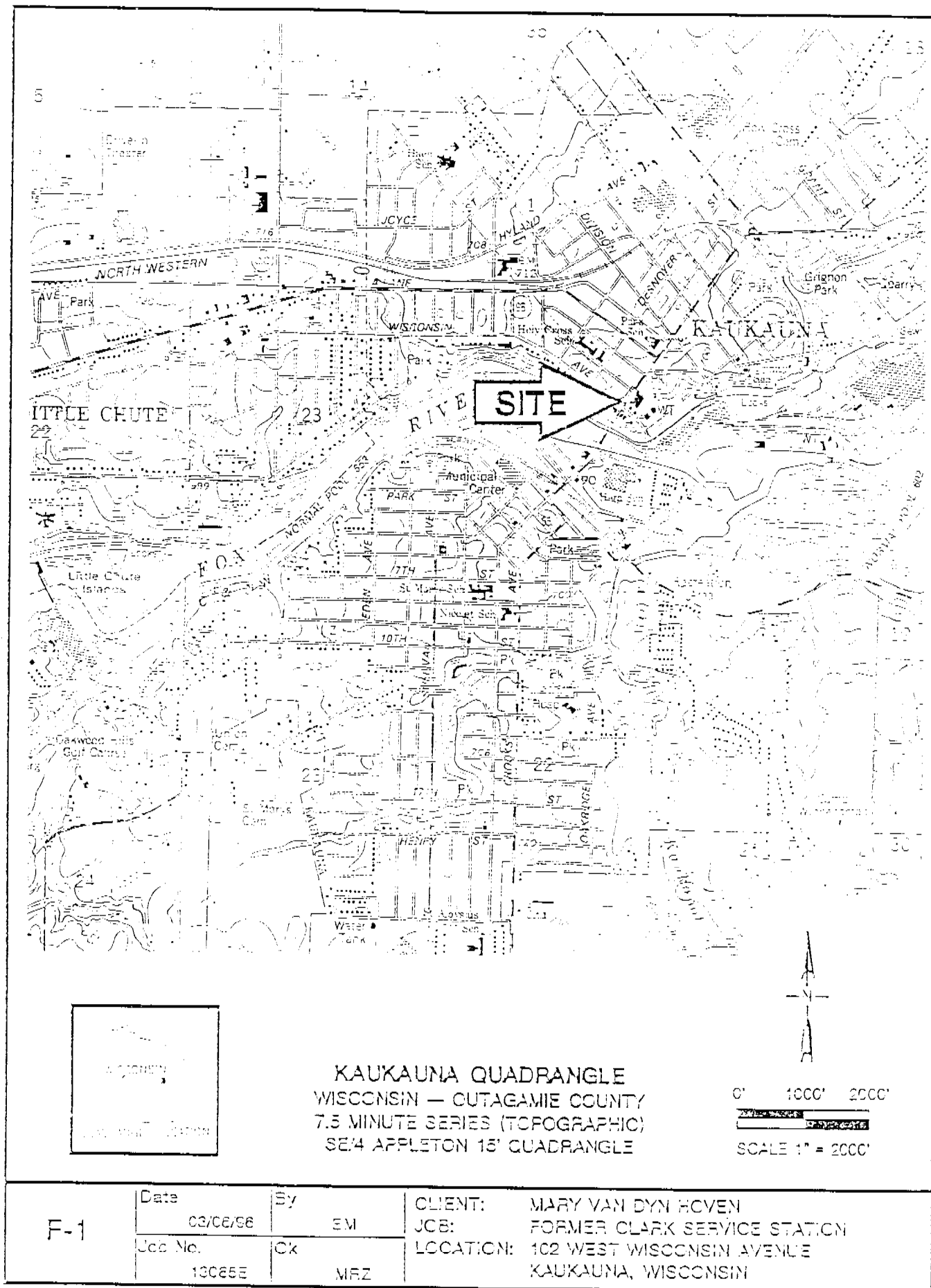
Printed Name: Mary K. Van Dyn Hoven

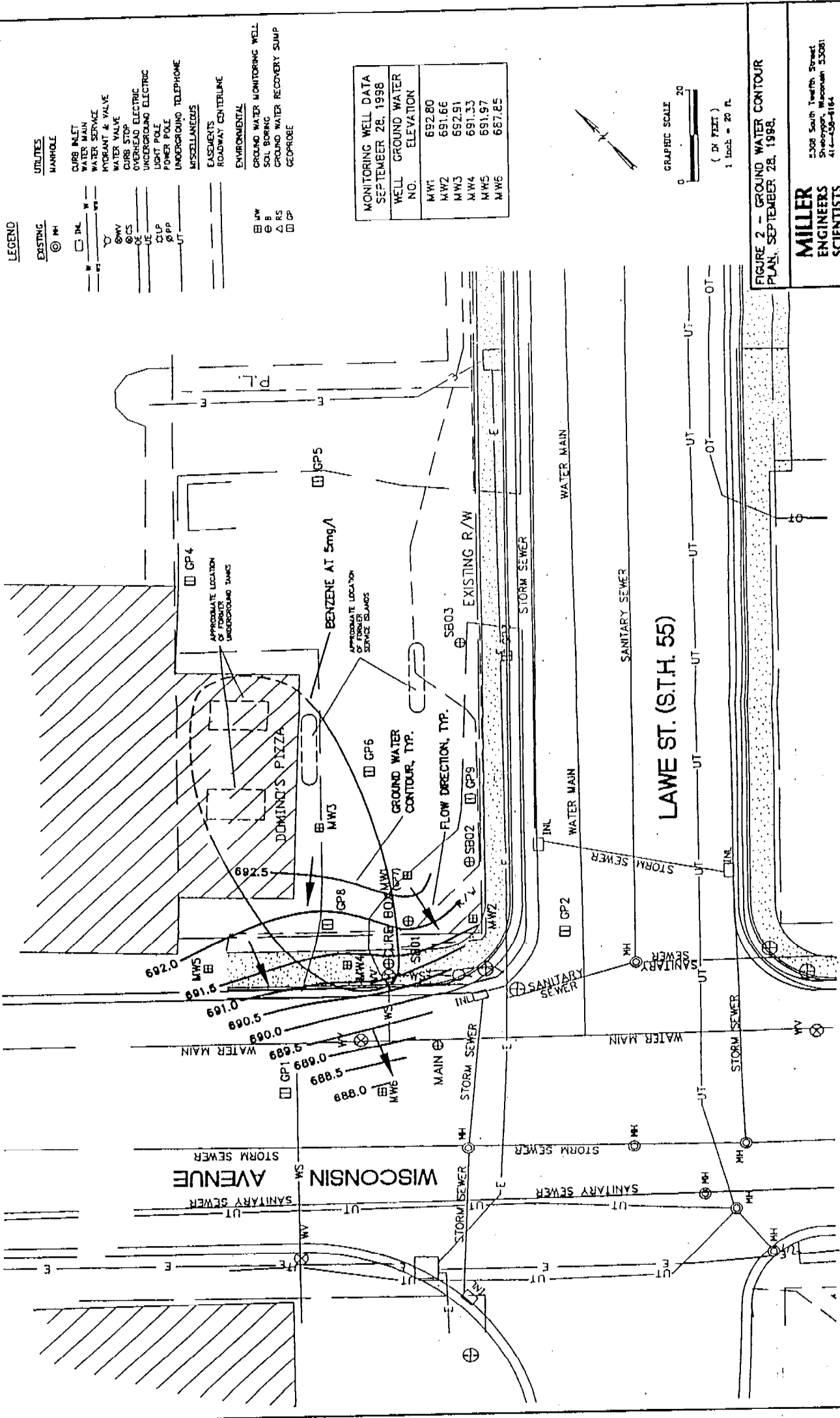
Subscribed and sworn to before me
this 11th day of May, 1999

Margaret A. Rubin

Notary Public, State of W.I.

My commission expires 2/23/03





LEGEND

- EXISTING**
- INLET
 - MANHOLE
 - CURB INLET
 - WATER MAIN
 - WATER SERVICE
 - HYDRANT & VALVE
 - WATER VALVE
 - CURB STOP
 - OVERHEAD ELECTRIC
 - UNDERGROUND ELECTRIC
 - LIGHT POLE
 - POWER POLE
 - UNDERGROUND TELEPHONE
 - MISCELLANEOUS
 - EASEMENTS
 - ROADWAY CENTERLINE
 - ENVIRONMENTAL
 - GROUND WATER MONITORING WELL
 - SOIL BORING
 - GROUND WATER RECOVERY SUMP
 - GEOPROBE
- UTILITY**
- INLET
 - MANHOLE
 - CURB INLET
 - WATER MAIN
 - WATER SERVICE
 - HYDRANT & VALVE
 - WATER VALVE
 - CURB STOP
 - OVERHEAD ELECTRIC
 - UNDERGROUND ELECTRIC
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 - ENVIRONMENTAL
 - GROUND WATER MONITORING WELL
 - SOIL BORING
 - GROUND WATER RECOVERY SUMP
 - GEOPROBE

MONITORING WELL DATA SEPTEMBER 28, 1998		
WELL NO.	GROUND WATER	ELEVATION
MW1		692.80
MW2		691.66
MW3		692.91
MW4		691.33
MW5		691.97
MW6		687.85

**FIGURE 2 - GROUND WATER CONTOUR
PLAN, SEPTEMBER 28, 1998.**

**MILLER
ENGINEERS
SCIENTISTS**
2308 South Twelfth Street
Sheboygan, Wisconsin 53081
414-459-8164

**MS. MARY VAN DYK HOVEN
FORMER CLARK STATION
KAUKAUNA, WI**

SCALE	DATE	BY	SAB	SHCET
1" = 20'	12-5-98	UT	UT	F-2
1" = 20'	12-5-98	UT	UT	

NOTE: ALL UNDERGROUND UTILITY LOCATIONS SHOWN
ON THIS MAP ARE BASED ON FIELD SURVEY RECORDS.
THE EXACT LOCATION OF ALL UTILITIES MUST BE
FIELD VERIFIED BY THE CONTRACTOR PRIOR TO
BEGINNING ANY CONSTRUCTION.

Route To:
☐ Solid Waste
☐ Emergency Response
☐ Wastewater
☐ Haz. Waste
☒ Underground Tanks
☐ Water Resources
☐ Other

Facility/Project Name Former Clark Oil			License/Permit/Monitoring Number		Boring Number MW5	
Boring Drilled By (Firm name and name of crew chief) Environmental Drilling Service.			Date Drilling Started 10/27/97		Date Drilling Completed 10/27/97	
DNR Facility Well No.			WI Unique Well No.		Common Well Name MW5	
Final Static Water Level Feet MSL			Surface Elevation 701.5 Feet MSL		Borehole Diameter 8.0 Inches	
Boring Location NE 1/4 of NE 1/4 of Section 22 T 21 N, R 18E			Lat 0, "		Local Grid Location (If applicable) <input checked="" type="checkbox"/> N <input type="checkbox"/> S	
County OUTAGAMIE			DNR County Code 45		Civil Town/City/ or Village KAUKAUNA	

Sample Number	Length (in) Recovered	Blow Counts	Depth In Feet	Soil/Rock Description And Geologic Origin For Each Major Unit	U S C S	Graphic Log	Well Diagram	PID/FID	Soil Properties					P 200	ROD/ Comments
									Standard Penetration	Moisture Content	Liquid Limit	Plastic Limit			
1	10	7	1-3	SILTY SAND WITH GRAVEL - damp, loose, brown (7.5YR 4/4).	SM			0	7						
2	3	2	5-6	SILTY CLAY - moist, soft, brown (7.5YR 5/3).	CL ML			0	2						
3	18	6	8-9	...damp, medium, brown (7.5YR 5/4), 1 inch gravel seam at 7.75 feet.				0	6						
4	18	4	10-11	...soft, brown (7.5YR 5/3).				0	4						
5	24	4	13-14	LEAN CLAY - damp, soft, brown (7.5YR 4/4).	CL			0	4						
NOTES: 1) End of sampling at 14.5 feet. 2) Monitoring Well MW5 constructed at completion.															

I hereby certify that the information on this form is true and correct to the best of my knowledge.

Signature

Mal 123

Firm

Miller Engineers & Scientists
5308 South 12th Street, Sheboygan, WI 53081
Tel: (920)458-6164 Fax: (920)458-0369

This form is authorized by Chapters 144, 147 and 162, Wis. Stats. Completion of this report is mandatory. Penalties: Forfeit not less than \$10 nor more than \$5,000 for each violation. Fined not less than \$10 or more than \$100 or imprisoned not less than 30 days, or both for each violation. Each day of continued violation is a separate offense, pursuant to ss 144.99 and 162.06, Wis. Stats.

TABLE 2
Historic Ground Water Analytic Test Results

Former Clark Station—Kaukauna, Wisconsin

Project #13085E

MW1

Date	Benzene ($\mu\text{g/L}$)	Ethyl- benzene ($\mu\text{g/L}$)	Toluene ($\mu\text{g/L}$)	Xylenes ($\mu\text{g/L}$)	MTBE ($\mu\text{g/L}$)	Total PVO ($\mu\text{g/L}$)	Naph- thalene ($\mu\text{g/L}$)	1,2-DCA ($\mu\text{g/L}$)	Sulfate (mg/L)	Nitrate (mg/L)	Dis. Fe ($\mu\text{g/L}$)	Dis. Mn ($\mu\text{g/L}$)	DO (mg/L)
06/10/96	6.7	55	4	16.5	<0.22	82.2	3.8	<0.13	.	.	.	.	1.5
12/11/97	<0.41	<u>0.71</u> †	<0.28	<0.79	<0.53	ND	<0.66	<0.24	140	0.035†	790	63	1.1
03/03/98	<0.41	2.0	<0.28	<0.79	<0.53	2.64	<0.66	.	.	.	.	.	0.6
06/09/98	<u>0.74</u> †	8.9	<0.27	<0.67	<0.32	13.4	<0.35	.	290	0.055†	1,300	110	.
09/28/98	<u>1.3</u>	6.0	<u>0.37</u> †	<u>1.66</u> †	<u>0.27</u> †	7.57	7.8	.	120	<0.026	520	81	1.3

MW2

Date	Benzene ($\mu\text{g/L}$)	Ethyl- benzene ($\mu\text{g/L}$)	Toluene ($\mu\text{g/L}$)	Xylenes ($\mu\text{g/L}$)	MTBE ($\mu\text{g/L}$)	Total PVO ($\mu\text{g/L}$)	Naph- thalene ($\mu\text{g/L}$)	1,2-DCA ($\mu\text{g/L}$)	Sulfate (mg/L)	Nitrate (mg/L)	Dis. Fe ($\mu\text{g/L}$)	Dis. Mn ($\mu\text{g/L}$)	DO (mg/L)
06/10/96	ND	ND	ND	ND	ND	ND	ND	ND	.	.	.	.	5.6
12/11/97	<0.41	<0.23	<0.28	<0.79	<0.53	ND	<0.66	<0.24	140	0.064†	980	64	0.5
03/03/98	<0.41	<0.23	<0.28	<0.79	<0.53	ND	<0.66	.	.	.	.	.	0.8
06/09/98	<0.27	<0.32	<0.27	<0.67	<0.32	ND	<0.35	.	160	1.7	3.4	2.4	.
09/28/98	<0.26	<0.24	<0.21	<1.34	<0.22	ND	<0.89	.	150	0.56	360	43	1.3

MW3

Date	Benzene ($\mu\text{g/L}$)	Ethyl- benzene ($\mu\text{g/L}$)	Toluene ($\mu\text{g/L}$)	Xylenes ($\mu\text{g/L}$)	MTBE ($\mu\text{g/L}$)	Total PVO ($\mu\text{g/L}$)	Naph- thalene ($\mu\text{g/L}$)	1,2-DCA ($\mu\text{g/L}$)	Sulfate (mg/L)	Nitrate (mg/L)	Dis. Fe ($\mu\text{g/L}$)	Dis. Mn ($\mu\text{g/L}$)	DO (mg/L)
06/10/96	<u>3.5</u>	<0.23	<0.28	5.3	3.5	12.3	2.7	48	.	.	.	.	2.6
12/11/97	<u>3.0</u>	8.3	<0.28	<0.79	4.0	16.4	<0.66	33	400	0.031†	4,800	1,100	0.6
03/03/98	<u>4.8</u>	54	<0.28	<0.79	3.9	63.49	<0.66	25	.	.	.	.	0.5
06/09/98	15	91	<0.27	<0.67	3.7	112	<0.35	.	300	<0.026	3,100	820	.
09/28/98	45	4.0	<0.27	<0.43	3.8	14.3	<0.35	23	320	0.031†	3,300	780	1.3

† = Result detected between Limit of Detection (LOD) and Limit of Quantitation (LOQ), quantity uncertain

PVO = Petroleum Volatile Organic Compounds (EPA Method 8260)

Bold Type = Exceeds NR 140 Enforcement Standards

Underlined Type = Exceeds NR 140 Preventive Action Limits

ND = Not Detected

-- = No Standards Apply

. = Not Tested

> ES

> PAC

TABLE 2 (cont.)
Historic Ground Water Analytic Test Results

Former Clark Station—Kaukauna, Wisconsin
Project #1308SE

MW4		Benzene (ug/L)	Ethyl- benzene (ug/L)	Toluene (ug/L)	Xylenes (ug/L)	MTBE (ug/L)	Total PVOOC (ug/L)	Naph- thalene (ug/L)	1,2-DCA (ug/L)	Sulfate (mg/L)	Nitrate/ Nitrite (mg/L)	Dis. Fe (ug/L)	Dis. Mn (ug/L)	DO (mg/L)
Date														
06-10-96		<u>34</u>	<0.23	17	2,091	<0.53	2,142	266	<0.60	20	0.040†	5,600	600	1.0
12-11-97		<u>64</u>	99	<0.70	14	<1.3	155.3	15	•	•	•	•	•	0.5
03-03-98		<u>31</u>	<u>280</u>	5.4	<u>326</u>	<1.6	1,103	46	•	•	•	•	•	0.5
06-09-98		<u>34</u>	<u>540</u>	2.5†	<u>485</u>	<1.6	1,818	110	<1.8	42	0.038†	3,400	530	•
09-28-98		<u>10</u>	<u>280</u>	1.4†	99	<0.80	702.4	44	<0.92	45	0.055†	4,500	620	1.5

MW5		Benzene (ug/L)	Ethyl- benzene (ug/L)	Toluene (ug/L)	Xylenes (ug/L)	MTBE (ug/L)	Total PVOOC (ug/L)	Naph- thalene (ug/L)	1,2-DCA (ug/L)	Sulfate (mg/L)	Nitrate/ Nitrite (mg/L)	Dis. Fe (ug/L)	Dis. Mn (ug/L)	DO (mg/L)
Date														
06-10-96		<0.41	<0.23	<0.28	<0.79	<0.53	ND	<0.66	<0.24	170	0.76	<22	15	1.1
12-11-97		<0.41	<0.23	0.43†	<0.79	<0.53	0.43	<0.66	•	•	•	•	•	0.6
03-03-98		<0.27	<0.32	<0.27	<0.67	<0.32	ND	<0.35	•	160	1.3	58	53	•
06-09-98		<0.26	<0.24	<0.21	<1.34	<0.22	ND	<0.89	•	170	2.3	120†	81	1.5

MW6		Benzene (ug/L)	Ethyl- benzene (ug/L)	Toluene (ug/L)	Xylenes (ug/L)	MTBE (ug/L)	Total PVOOC (ug/L)	Naph- thalene (ug/L)	1,2-DCA (ug/L)	Sulfate (mg/L)	Nitrate/ Nitrite (mg/L)	Dis. Fe (ug/L)	Dis. Mn (ug/L)	DO (mg/L)
Date														
06-10-96		<0.41	<0.23	0.44†	<0.79	<0.53	0.44	<0.66	<0.24	360	2.7	<22	<0.29	4.3
12-11-97		<0.41	<0.23	<0.28	<0.79	<0.53	ND	<0.66	•	•	•	•	•	0.4
03-03-98		<0.27	<0.32	<0.27	<0.67	<0.32	ND	<0.35	•	420	3.7	4.3†	41	•
06-09-98		<0.26	<0.24	<0.21	1.34	<0.22	ND	<0.89	•	530	0.85	520	280	3.0

† = Result detected between Limit of Detection (LOD) and Limit of Quantitation (LOQ); quantity uncertain

PVOOC = Petroleum Volatile Organic Compounds (EPA Method 8020)

Bold Type = Exceeds NR 140 Enforcement Standards

Underlined Type = Exceeds NR 140 Preventive Action Limits

ND = Not Detected

-- = No Standards Apply

• = Not Tested

g data after env 1308se ground water station.

>ES

>PAC